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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Thomas WIEBKE et al.

Serial No. 09/759,521

Filed January 16, 2001

: Confirmation No. 2128

: Docket No. 2001_0032A

: Group Art Unit 2662

: Examiner John Pezzlo

METHOD AND APPARATUS FOR A CDMA
CELLULAR RADIO TRANSMISSION SYSTEM

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Technology Center 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. .

1a. [] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office
Action or a Notice of Allowance or an action which otherwise closes prosecution in the
application, and thus:

- (1) the certification of paragraph 2 below is provided, **or**
- (2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which
otherwise closes prosecution in the application, and prior to payment of the issue fee, and
thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified
 - a. that each item of information contained in this Information Disclosure Statement
was first cited in any communication from a foreign patent office in a counterpart
foreign application not more than three months prior to the filing of the
Statement, or
 - b. that no item of information contained in the Information Disclosure Statement
was cited in a communication from a foreign patent office in a counterpart
foreign application and, to the knowledge of the person signing the certification
after making reasonable inquiry, was known to any individual designated in
§1.56(c) more than three months prior to the filing of the Statement.
3. Consideration of the following list of additional information (including any copending or
abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a full or partial English language translation submitted herewith,
- a foreign patent office search report (in the English language) submitted herewith,
- the concise explanation contained in the specification of the present application at page ,
- the concise explanation set forth in the attached English language abstract,
- the concise explanation set forth below or on a separate sheet attached to the reference:

5. A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Thomas WIEBKE et al.

By 

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